

REMEDICATION AND REDEVELOPMENT NEWS FROM WISCONSIN DNR

RR Program Summarizes Case Closure Options for Groundwater Sites

On September 25 the RR Program Management Team issued a memo to staff summarizing five options for closure of sites with groundwater contamination above standards. The memo lists options for closure when technically and economically feasible response actions have been taken. Those options include closing sites with on-site preventive action limit (PAL) exceedences, closing sites with on-site enforcement standard (ES) exceedences, closing sites with both on-site and off-site PAL exceedences, closing sites with on-site ES exceedences and off-site PAL exceedences, and closing sites with both on-site and off-site ES exceedences. The document is titled "Criteria for Closing Cases Involving Residual Groundwater Contamination" (publication # RR-609). It is available on the RR program web site at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR609.pdf>

Institutional Controls Guidance

The Remediation and Redevelopment Program has finalized it's guidance on institutional controls. Institutional controls are defined as tools to require or prevent certain actions by property owners, or to give notice of contamination to prospective purchasers. They are often a condition of case close out, used when post remediation conditions warrant a deed restriction or deed notice. The guidance discusses application of deed notices and groundwater use restrictions as a condition of closing cases under NR 726, Wisconsin Administrative Code. Deed restrictions may also be used to ensure the long term effectiveness of a remedy, such as a performance standard, or to ensure that a specified land use doesn't change. The potential application of institutional controls should be considered by the responsible party and the consultant at key points in the remedial decision-making process. The guidance document discusses close out conditions where deed instruments are required by rule, such as when industrial residual contaminant levels for soils are used, and close out above groundwater enforcement standards after natural attenuation had been demonstrated effective. DNR can void a conditional close out decision if the conditions of the deed instrument are not satisfied. The guidance document, "Close Out Guidance on the Use of Deed and Groundwater Use Restrictions and Deed Notices (publication # RR-606), can be found on our web site at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR606.pdf>.

New Financial Resources Guide

The updated "Financial Resource Guide for Redevelopment" (publication RR-539-98) is now available. The guide describes state and federal grants, loans, and tax incentives that assist businesses and communities with brownfields cleanup and redevelopment. The updated guide describes revisions to existing programs, as well as new programs created by the 1997-99 State Budget. The guide can be accessed on our web site at <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR539.pdf>. Copies can also be ordered from the RR program information line by calling (800) 367-6076 for in-state long distance, or (608) 264-6020 for out-of-state long distance or local calls.

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